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MEDTRONIC LAW DEPARTMENT - CONFIDENTIAL

Attention: Group 3762
Company: United States Patent and Trademark Office
Telephone:
Facsimile: 703-872-9306
Application No.: 10/749,595
Filing Date: Decmeber 31, 2003

From: Keith M. Campbell, Esq.
Telephone: 763-505-0405
Facsimile: 763-505-0411
Our Ref. No.: P-8223.02US

Date: December 3, 2004

Pages (including cover page): 9

Comments: Enclosed are the following documents for filing in the above-identified application:

- ☒ Transmittal Letter
- ☒ Supplemental Information Disclosure Statement
- ☒ List of References (1449 Form)
- ☒ Reference

NOTICE

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PATENT
Docket No.: P-8223.02 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Benoit Marchal and Warren Starkebaum Group Art Unit: 3762
Application No.: 10/749,595 Examiner: Not Assigned Yet
Filed: December 31, 2003 Due Date:
For: Gastroelectric Stimulation for Influencing Pancreatic Secretions

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Mindy Loge
Mindy Loge

TRANSMITTAL LETTER

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Enclosed for filing in the above-identified application are the following:

- ☒ Supplemental Information Disclosure Statement
☒ PTO Form 1449
☒ Cited References

- ☒ The Commissioner is hereby authorized to charge or credit any deficiencies or overpayments, which may have been overlooked on this Transmittal Letter with regard to this filing, to Deposit Account No. 13-2546. A duplicate of this Transmittal Letter is enclosed.

Respectfully submitted,

Date: December 3, 2004

Keith M. Campbell
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Customer No.: 27581

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Docket No.: P-8223.02 US

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In re Application of: Benoit Marchal and Warren Group Art Unit: 3762
 Starkebaum
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Mindy LogeSUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No certification or fee is required.

The Examiner's attention is directed to co-pending U.S. Patent Application No. 09/537,070, filed March 28, 2000, which is directed to related subject matter. The identification of this U.S. patent application is not to be construed as a waiver of secrecy as to that application

Application No.: 8223.02 US

now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

In accordance with 37 C.F.R. § 1.98(a)(2)(i), Applicant submits herewith paper copies of only those references which are identified on Form PTO SB08 as foreign patent documents or non-patent literature.

By submitting these references, Applicant does not admit that the references are prior art to or material to this application, and reserves the right to establish that any reference is not prior art. Applicant does not represent that the references have been reviewed in detail; there may be details in the references of which Applicant is unaware.

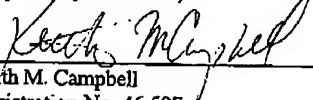
Pursuant to the waiver of the requirements under 37 C.F.R. 1.98(a)(2)(i) as stated in a Pre-Official Gazette Notice dated July 11, 2003, copies of only the foreign patent documents and non-patent literature listed on the enclosed modified Form PTO-1449 are attached. A copy is also enclosed of the PCT International Search Report issued in the corresponding PCT application.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-2546.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned, indicating that such information has been considered.

Date: December 3, 2004

Respectfully submitted,


Keith M. Campbell
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